

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

TENNESSEE CONFERENCE of the NATIONAL ASSOCIATION for the ADVANCEMENT of COLORED PEOPLE, on behalf of itself and its members, et al.,

Plaintiffs,

v.

WILLIAM LEE, in his official capacity as Governor of the State of Tennessee, et al.,

Defendants.

Civil No. 3:20-cv-01039

JUDGE CAMPBELL
MAGISTRATE JUDGE
FRENSEY

[Putative Class Action]

MOTION TO AMEND AND CORRECT THE RECORD

Plaintiffs respectfully file this motion to amend and correct the record regarding their Notice of Filing in Support of Plaintiffs' Response in Opposition to Defendants' Motion for Summary Judgement as to Counts One, Two, and Three, Doc. 275. Pursuant to Local Rule 7.01(a)(1), Plaintiffs' counsel has conferred with Defendants' counsel on this motion and Defendants' counsel has no objection.

Plaintiffs seek to modify eight exhibits attached to their Notice of Filing. Plaintiffs inadvertently left out several pages of deposition transcripts that were cited in Plaintiffs' Statement of Undisputed Material Facts, Doc. 276, and Plaintiffs' Responses to Defendants Statement of Undisputed Material Facts, Doc. 277. Plaintiffs respectfully seek leave to correct their error and ensure that the Court has all the relevant documents before it. Adding these pages at this time will not prejudice Defendants, as they already possessed complete transcripts of all depositions in

question and had those documents available when responding and replying to the statements of fact.

Specifically, Plaintiffs seek leave to add missing deposition excerpt pages to Exhibits 7, 34, 38 41, 42, 43, and 57 and to replace the pages in Exhibit 45, which should have been excerpts from the May 19, 2023 deposition of Linda Phillips, but instead included pages from the December 8, 2023 Deposition of Linda Phillips. To eliminate the need for cross-referencing, Plaintiffs seek to fully refile the Notice of Filing with all the complete exhibits. That proposed filing is attached to this record as Exhibit A.

For the reasons stated above, Plaintiffs respectfully request leave to file the described amended Notice of Filing in Support of Plaintiffs' Response in Opposition to Defendants' Motion for Summary Judgement as to Counts One, Two, and Three.

Dated: August 22, 2024

Keeda Haynes, BPR No. 031518
Free Hearts
2013 25th Ave. N,
Nashville, TN 37208
(615) 479-5530
keeda@freeheartsorg.com

Phil Telfeyan
Equal Justice Under Law
400 7th St. NW, Suite 602
Washington, D.C. 20004
(202) 505-2058
ptelfeyan@equaljusticeunderlaw.org

* Admitted pro hac vice

Respectfully submitted,

/s/ Charles K. Grant
Blair Bowie*
Danielle Lang*
Alice Huling*
Valencia Richardson*
Aseem Mulji*
Ellen Boettcher*
Kate Uyeda, BPR No. 040531
Kathryn Huddleston*
Campaign Legal Center
1101 14th St. NW, Suite 400
Washington, DC 20005
(202) 736-2200
Bbowie@campaignlegal.org
Dlang@campaignlegal.org
Ahuling@campaignlegal.org
VRichardson@campaignlegal.org
Amulji@campaignlegal.org
EBoettcher@campaignlegal.org
KUyeda@campaignlegal.org
KHuddleston@campaignlegal.org

Charles K. Grant, BPR No. 017081
Denmark J. Grant, BPR No. 036808
BAKER, DONELSON, BEARMAN,
CALDWELL & BERKOWITZ, PC
211 Commerce Street, Suite 800
Nashville, TN 37201
Telephone: (615) 726-5600
Facsimile: (615) 726-0464
cgrant@bakerdonelson.com
dgrant@bakerdonelson.com

Counsel for the Plaintiffs

CERTIFICATE OF SERVICE

I hereby certify that on August 22, 2024, a copy of the foregoing document was filed electronically. Notice of this filing will be served by operation of the Court's electronic filing system to counsel for parties below. Counsel for the parties may access these filings through the Court's electronic filing system:

DAWN JORDAN (BPR #020383)
Special Counsel
dawn.jordan@ag.tn.gov

ANDREW C. COULAM (BPR #030731)
Deputy Attorney General
Andrew.Coulam@ag.tn.gov

DAVID M. RUDOLPH (BPR #13402)
Senior Assistant Attorney General
david.rudolph@ag.tn.gov

ZACHARY BARKER (BPR #035933)
Assistant Attorney General
Zachary.barker@ag.tn.gov

ROBERT W. WILSON (BPR # 034492)
Assistant Attorney General
Robert.Wilson@ag.tn.gov

Office of the Tennessee Attorney General
Public Interest Division
P.O. Box 20207
Nashville, TN 37202

Attorneys for State Defendants

/s/ Charles K. Grant
Charles K. Grant